

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: ISHII, et al.
Serial No.: 10/801,697
Filed: March 17, 2004
For: ELECTRONIC CIRCUIT APPARATUS AND METHOD OF
MANUFACTURING THE SAME
Examiner: Graybill, David
Art Unit: 2822
Conf. No.: 1862

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

December 22, 2008

In response to the Notice of Non-Compliant Amendment mailed November 21, 2008, in connection with the above-identified application.

The Notice alleges the amendment document filed on August 26, 2008 to be non-compliant because "Claim 1 is not amended relative to the immediate prior version of the claims filed on 6-26-8." Applicants, through their undersigned attorney, submit that the amendment document filed August 26, 2008 is in fact compliant and should be accepted.

The document filed August 26, 2008 was a response to the Notice of Non-Compliant Amendment mailed July 28, 2008. The Notice of July 28, 2008 required proper prior status identifiers for the claims. The response to the Notice of Non-Compliant Amendment filed August 26, 2008 corrected the status identifier for claim 1 to read "Currently Amended." It is noted that claim 1 was shown with an amendment (the indent of the last paragraph) relative to the immediate prior version of the claims,

i.e., relative to the version filed October 11, 2007. The amendments to the claims section submitted August 26, 2008 was a replacement for the corresponding section submitted June 26, 2008. Therefore, the amendments to claim 1 were not shown with respect to the version filed June 26, 2008 (for which it was a replacement), but to the version immediately prior to June 26, 2008. Accordingly, it is submitted the response to the Notice of Non-Compliant Amendment filed August 26, 2008 is proper and should be accepted.

The foregoing interpretation was confirmed in a telephone discussion between the undersigned and Raul Tanayo of OPLA on even date.

Favorable reconsideration and allowance of all of the claims now in the application are requested.

It is respectfully requested that any shortage in the fee be charged to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 1021.43671X00).

Respectfully submitted,

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